

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

In re: DAVID R. GEHMAN and :
LYNNA K. GEHMAN, : Case No. 18-11930REF
Debtor : Chapter 13

ORDER DENYING OBJECTION TO CLAIM

AND NOW, this 23 day of April, 2019, upon Debtors' objection to Claim 17 of Lakeview Loan Servicing, LLC, and upon the basis of the objection being Lakeview's assessment of certain fees and costs against Debtors, and upon the hearing on Debtors' objection on April 18, 2019, to determine the fees and costs contained in Claim 17, and upon it appearing that the issues raised by Debtors in their objection could have and should have been raised in state court in the context of the litigation of Lakeview against them, in which litigation Lakeview obtained a judgment against Debtors that included fees and costs, and upon my pressing counsel for Debtors to explain how and why Debtors failed to raise in state court the issues now before me, and upon counsel's inability to provide any excuse or reason for failing to raise the issue in the state court proceeding, and upon Debtors' asking me to act as an appellate court reviewing the state court decision, and upon the impact of collateral estoppel and the Rooker-Feldman doctrine, and upon the colloquy between Debtors' counsel and me in

open court at the conclusion of the April 18 hearing, which colloquy I hereby incorporate into this Order,

IT IS HEREBY ORDERED, based upon the above, that Debtors' objection to Lakeview's Claim 17 IS DENIED.

BY THE COURT

A handwritten signature in black ink, appearing to read "R. Fehling", written over a horizontal line.

RICHARD E. FEHLING
United States Bankruptcy Judge